

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-14 are currently pending. Claim 14 is added by the present amendment. Support for new Claim 14 is found in the disclosure as originally filed. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-13 were rejected under 35 U.S.C. §102(e) as anticipated by Ellis et al. (U.S. Pat. Pub. No. 2006/0140584, herein "Ellis").

Addressing now the rejection of Claims 1-13 under 35 U.S.C. §102(e) as anticipated by Ellis, Applicants respectfully traverse this rejection.

Claim 7 recites, in part,

- a setting step of setting a keyword;
- a broadcast signal reception step of receiving a broadcast signal broadcast from a broadcast station;
- a first recording step of temporarily recording a last predetermined amount of the broadcast signal received by said broadcast signal reception step as broadcast data in a buffer on a recording medium;
- a communication step of repeatedly transmitting request information to an external apparatus every predetermined interval of time to request real-time broadcast information corresponding to contents of said broadcast signal currently being received, and receiving the real-time broadcast information which said external apparatus transmits in response to each transmission of said request information;
- a detection step of detecting whether or not said real-time broadcast information received by said communication step includes said keyword; and
- a second recording step of recording said broadcast data on said recording medium as new recorded broadcast data in response to said detection step detecting that said real-time broadcast information includes said keyword, such that a part of said broadcast data temporarily recorded in said buffer is stored as a first portion of the new recorded broadcast data.

Claims 1 and 13 recite corresponding apparatus and computer readable medium claims.

Ellis describes a PVR which is able to use keywords entered by the user to discover upcoming programs or previously recorded programs which match the entered keyword.

However, Ellis never describes or suggests repeatedly transmitting request information to an external apparatus every predetermined interval of time to request real-time broadcast information corresponding to contents of said broadcast signal currently being received, detecting whether or not said real-time broadcast information received by said communication step includes said keyword and recording said broadcast data on said recording medium as new recorded broadcast data in response to said detection step detecting that said real-time broadcast information includes said keyword, such that a part of said broadcast data temporarily recorded in said buffer is stored as a first portion of the new recorded broadcast data, as is recited in Claim 7.

In response to the previously filed request for reconsideration, the outstanding Action has provided the response to arguments section on page 2.

Specifically, in the response to arguments section, the Action asserts that:

Ellis discloses repeatedly transmitting reminder/recording request information between two individuals (paragraph 473-474). The request [for] information can be for an upcoming program or for a program that has already aired and been recorded. In addition to the [citations provided in the] non-final office action[,] paragraph 470 discloses a live video broadcasting and paragraph 477 teaches the use of real-time technology. Therefore as a whole of Ellis et al. invention anticipates ever one [of the] limitation[s] of the claims.

In response, Applicants note that paragraphs 473-474 of Ellis describe a process whereby one user can send, via email, to the other user: 1) the actual recording, 2) a reminder to perform the recording, or 3) a recording request (e.g. "please record the program").

However, such an email system is not equivalent to repeatedly transmitting request information to an external apparatus every predetermined interval of time to request real-time broadcast information corresponding to contents of said *broadcast signal currently being*

***received***. In other words, as is noted above and is acknowledged in the Office Action, any request for information in Ellis is “for an upcoming program or for a program that has already aired and been recorded.” In other words, the information in this section of Ellis does not correspond to contents of the broadcast signal currently being received. In addition, the “information” sent in the email in paragraphs 473-474 is not corresponding to the ***contents*** of the broadcast signal.

In addition, as is noted above, the outstanding Action asserts that “paragraph 470 discloses a live video broadcasting and paragraph 477 teaches the use of real-time technology.” In response, Applicants note that these paragraphs of Ellis merely disclose that a live video broadcast can be paused and then resumed. Nothing in these portions of Ellis describe or suggest repeatedly transmitting ***request information*** to an external apparatus every predetermined interval of time to request real-time ***broadcast information*** corresponding to ***contents*** of said ***broadcast signal currently being received***.

In order to anticipate the claimed features, the cited reference must explicitly describe all of the features of the claimed invention. The outstanding Action clearly has not provided a reference that is able to fulfill this requirement. Therefore, a rejection based on §102(e) is ***improper***.

In addition, the outstanding Action continues to maintain on page 3 that paragraphs 0006, 0470, and 0478 of Ellis describe the communication step of repeatedly transmitting request information, Applicants continue to respectfully traverse this assertion.

Specifically, paragraph 0006 merely describes a user is able to record a live program and as a result of the user’s request to record the program, any previously buffered information is ignored. As is noted above, paragraph, 0470 describes that when a user decides to display a program guide screen, the live programming which the user was previously watching is paused. Further, once the user is finished with the programming guide the user is

given the option to resume the paused program. Paragraph 0478 describes that a processor in a DVR has spare computing power available.

However, neither paragraph 0006, 0470 nor 0478 of Ellis makes any mention of *repeatedly transmitting request information* to an external apparatus every predetermined interval of time to request *real-time broadcast information* corresponding to contents of said broadcast signal *currently* being received.

In other words, the communication step of Claim 7 sends repeated requests which result in the reception of *real-time broadcast information* which corresponds to the broadcast signal *currently being received*. This feature is nowhere to be found in the cited paragraphs 0006, 0470 nor 0478 of Ellis or any other portion of Ellis.

Furthermore, the outstanding Action cites paragraphs 0228 and 0193 of Ellis as describing a detection step of detecting whether or not said real-time broadcast information received by said communication step includes said keyword recited in Claim 7, Applicants respectfully traverse this assertion.

Specifically, paragraph 0228 of Ellis describes that a user can enter a keyword for keyword-based recordings. Paragraph 0193 describes that a menu can be displayed which enables the user to view a program guide, select PPV or view recordings.

However, nothing in this portion of Ellis describes detecting whether or not said *real-time broadcast information* received by said communication step includes said keyword.

In other words, Ellis describes that recordings can be generated based on a keyword but does not describe that repeatedly received real-time broadcast information is polled and when a keyword is identified, a recording is generated. The outstanding Action cites paragraph 0478 as disclosing real-time broadcasting. However, as is noted above, this portion of Ellis merely discloses that a processor in a DVR has spare computing power available. This feature of Ellis is *not* equivalent to receiving up-to-date *real-time* information about a

program and recording the program when a key-word in the up-to-date information is identified.

In addition, with regard to the feature recited in Claim 7 that the part of said broadcast data temporarily recorded in said buffer is stored as a first portion of the new recorded broadcast data, the outstanding Action cites paragraph 0239 of Ellis as disclosing this feature. Applicants respectfully traverse this assertion.

Specifically, paragraph 0239 of Ellis describes that a user is able to modify the before/after padding time which enables the user to ensure that no portion of the program is missed due to early/late program airing. However, Applicants note that this portion of Ellis is not equivalent to moving broadcast data from a buffer to the recording medium so that the temporary stored data is stored as the first portion of the new recorded broadcast data.

Accordingly, Applicants respectfully submit that Claim 7 and similarly Claims 1 and 13, and claims depending respectfully therefrom, patentably distinguish over Ellis.

In addition, with regard to newly added Claim 14, Applicants respectfully submit that this claim also patentably distinguishes over Ellis.

Specifically, Ellis never discloses, at least, a communication unit configured to repeatedly request, at predetermined intervals and from an external apparatus, real-time broadcast information identifying characteristics of the content received by said broadcast signal reception unit, and to receive new real-time broadcast information in response to each request, or a control unit configured to, in response to said detection unit detecting that said - real-time broadcast information includes said keyword, move the temporary broadcast data from said buffer to the recording medium as a first part of a new recorded broadcast data, and control said recording unit to record said broadcast data on said recording medium as a second part of the new recorded broadcast data. These features are simply not disclosed in the Ellis reference.

Consequently, as no further issues are believed to be outstanding in the present application, the present application is believed to be in condition for formal Allowance. A Notice of Allowance for the claims is earnestly solicited.

Respectfully submitted,

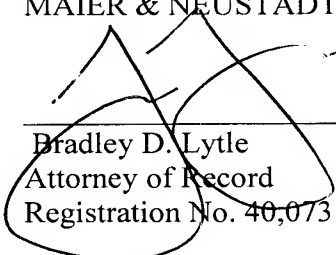
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